

IDAHO BOARD OF PSYCHOLOGIST EXAMINERS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 6/12/2020

BOARD MEMBERS PRESENT: Helen A Napier, Ph.D. - Chair
Denton C Darrington
Linda Hatzenbuehler, Ph.D.
Theresa L Ross, Ph.D.
Jason D Gage, Ph.D.

DIVISION STAFF: Susan Buxton, Division Administrator
Dawn Hall, Deputy Division Administrator
Lori Peel, Investigative Unit Manager
Gregory Floyd, Financial Unit Manager
Nicholas Krema, General Counsel
Rob McQuade, Legal Counsel
Pam Rebolo, Board Specialist

OTHERS PRESENT: William Meyers, Holland & Hart
Nina Neighbors, Walden University
Deb Katz, Idaho Psychological Association
Lance Giles
Kris Ellis

The meeting was called to order at 8:30 AM MDT by Helen A Napier, PhD.

The Division introduced Financial Unit Manager Gregory Floyd, who will now be giving the financial report.

The Division introduced Susan Buxton who is the Interim Division Administrator.

APPROVAL OF MINUTES

Dr. Hartzenbuehler made a motion to approve the minutes of 2/7/20 and 4/20/20. It was seconded by Dr. Ross. Motion carried.

\$\$InvestigativeReport\$\$

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Dr. Gage made a motion to approve the Division's recommendation and authorize closure in case numbers I-PSY-2019-7 and I-PSY-2020-2. It was seconded by Dr. Ross. Motion carried.

LAWS AND RULES

RULE 500.08

The Board discussed negotiated rulemaking and Rule 500.08. Dr. Gage discussed and explained the current rule. Dr. Gage stated that he does not think the Board has the academic expertise to determine the equivalency of an accredited program, meet and that the Board would need an accrediting body to assure that the program meets the criteria for licensure. Dr. Gage also stated that the reality is that more programs will be online and that would be more of a reason to have an accrediting body to ensure that these programs meet the criteria. Also, with Idaho now being a prescribing state, the Board would need consistent standards and would need to maintain high safety standards, which was a concern of the legislature.

Dr. Napier stated that as a Board, Idaho does not have the resources to review each university's equivalency toward licensure. Dr. Hatzenbuehler agreed.

The Board is in agreement not to change Rule 500.08 at this time as written without modification. Mr. Crema reminded the Board that the rulemaking was a result of a petition filed by Walden University and wanted to make clear to the Board that the discussion has to be limited to Rule 500.08 as was the published reason for the rulemaking.

Dr. Hatzenbuehler made a motion to direct legal counsel to draft an outline considering all input for review at the July 10 Board meeting. It was seconded by Dr. Ross. Motion carried.

After the motion Dr. Marsh presented information regarding a blended model that was submitted to the Board for review. The Board will re-review the materials that were provided.

Dr. Gage made a motion to have Dr. Napier and Dr. Hatzenbuehler form a subcommittee to review Rule 500. It was seconded by Senator Darrington. Motion carried.

CATEGORY III SERVICE EXTENDER

Dr. Gage presented a proposal to change Rule 450 for service extender category III to allow fewer educational requirements as these service extenders do not do interviews in therapy sessions. Most other states allow a minimum of a bachelor's degree or equivalency. Mr. McQuade stated that there is a moratorium on rulemaking and a schedule for rulemaking is being developed. The item will be added to the To Do List for future action.

FINANCIAL REPORT

Mr. Floyd gave the financial report, which indicated that the Board had a cash balance of \$177,879.40 as of 5/31/2020.

DIVISION BUSINESS

The Board reviewed the To Do List and no action was taken.

BOARD BUSINESS

COVID-19 CONTINUING EDUCATION WAIVERS

After discussion, the Board will not be giving blanket CE waivers during COVID-19 and referred licensees to Board rules which explain other opportunities to gain the needed hours. Dr. Gage made a motion to have Dr. Hatzenbuehler draft a Frequently Asked Question regarding live webinars for continuing education to be placed on the Board's website. It was seconded by Dr. Ross. Motion carried.

CONFERENCE UPDATES AND ATTENDANCE

Dr. Hatzenbuehler made a motion to reimburse Dr. Gage expenses in the amount of \$269.43 due to canceling airfare on Air Canada as the 2020 Association of State and Provincial Psychology Boards annual conference was canceled due to COVID-19. It was seconded by Senator Darrington. Motion carried.

PRESCRIPTIVE AUTHORITY SUPERVISION FORM DRAFT

The Board discussed the need to draft a verification of supervised hours form for the prescriptive authority applicants. The Division will draft a sample form and bring back for review at the next scheduled Board meeting

TEMPORARY PERMIT APPLICATION PROCESS

Dr. Ross made a motion to have the Board specialist review temporary permit applications without prescription certification request and issue the temporary permit. It was seconded by Senator Darrington. Motion carried.

CORRESPONDENCE

The Board reviewed correspondence from Dr. Kurt Webb regarding Rule 401 and 402. The Board directed the Division to respond with a letter accepting the scenario presented by Dr. Webb stating that the Board will review Rule 401 and 402 during the rule review process.

The Board reviewed correspondence from Dr. Barney Greenspan that was obtained on the Idaho Psychological Association LISTSERV regarding waiver of continuing education during COVID-19. The Board directed the Division to respond with a letter stating that the Board will review each request individually.

The Board reviewed correspondence from William Prince regarding the requirement for the provisional prescription certificate and training. Dr. Gage made a motion to have the Division respond with a letter referring Mr. Prince to Rule 700.03 which states that the applicant must have successfully completed clinical experience as part

of the master's clinical psychopharmacology program that includes a diverse population of patients. It was seconded by Dr. Ross. Motion carried.

EXECUTIVE SESSION

Dr. Hatzenbuehler made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Dr. Gage. The vote was: Dr. Hatzenbuehler, aye; Dr. Ross, aye; Senator Darrington, aye; Dr. Gage, aye; and Dr. Napier, aye. Motion carried.

Dr. Hatzenbuehler made a motion to come out of executive session. It was seconded by Dr. Ross. Motion carried.

APPLICATIONS

Dr. Gage made a motion to approve the following for licensure:

DARAKJY, Jennifer

PSYP 203339

It was seconded by Dr. Ross. Motion carried.

Dr. Gage made a motion to table the following pending receipt of additional information:

901163293

It was seconded by Dr. Ross. Motion carried.

NEXT MEETING was scheduled for July 10, 2020 at 8:00 AM MDT

ADJOURNMENT

Dr. Gage made a motion to adjourn the meeting at 1:25 PM MDT. It was seconded by Dr. Hatzenbuehler. Motion carried.

Helen A Napier, Ph.D., Chair